

to appeal, if said land is situated in any State or Territory other than Oklahoma, to the United States district court for such State or Territory, where the case shall be tried de novo and the judgment for damages rendered by the court shall be final and conclusive.

When proceedings are commenced in court as aforesaid, the railroad company shall deposit the amount of the award made by the referees with the court to abide the judgment thereof, and then have the right to enter upon the property sought to be condemned and proceed with the construction of the railway. Each of the referees shall receive for his compensation the sum of \$4 per day while engaged in the hearing of any case submitted to them under sections 312 to 318 of this title. Witnesses shall receive the fees usually allowed by courts within the district where such land is located. Costs, including compensation of the referees, shall be made part of the award or judgment, and be paid by such railroad company.

(Mar. 2, 1899, ch. 374, § 3, 30 Stat. 991; Feb. 28, 1902, ch. 134, § 23, 32 Stat. 50.)

#### CROSS REFERENCES

Pueblo Indians of New Mexico, application of section, see section 322 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 312, 316, 317, 318, 322 of this title.

### § 315. Time for completion of road; forfeiture

If any such company shall fail to construct and put in operation one-tenth of its entire line in one year, or to complete its road within three years after the approval of its map of location by the Secretary of the Interior, the right of way granted shall be deemed forfeited and abandoned ipso facto as to that portion of the road not then constructed and in operation: *Provided*, That the Secretary may, when he deems proper, extend, for a period not exceeding two years, the time for the completion of any road for which right of way has been granted and a part of which shall have been built.

(Mar. 2, 1899, ch. 374, § 4, 30 Stat. 991.)

#### CROSS REFERENCES

Pueblo Indians of New Mexico, application of section, see section 322 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 312, 314, 316, 317, 318, 322 of this title.

### § 316. Rights of several roads through canyons

The provisions of section 935<sup>1</sup> of title 43 relating to the rights of several railroads through any canyon, pass, or defile are extended and made applicable to rights of way granted under sections 312 to 318 of this title and to railroad companies obtaining such rights of way.

(Mar. 2, 1899, ch. 374, § 6, 30 Stat. 992.)

#### REFERENCES IN TEXT

Section 935 of title 43, referred to in text, was repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976,

90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, under, and through the public lands and lands in the National Forest System.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 312, 314, 317, 318 of this title.

### § 317. Regulations

The Secretary of the Interior shall make all needful rules and regulations, not inconsistent with sections 312 to 318 of this title, for the proper execution and carrying into effect of all the provisions of said sections.

(Mar. 2, 1899, ch. 374, § 7, 30 Stat. 992.)

#### CROSS REFERENCES

Pueblo Indians of New Mexico, application of section, see section 322 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 312, 314, 316, 318, 322 of this title.

### § 318. Amendment or repeal of sections

Congress reserves the right at any time to alter, amend, or repeal sections 312 to 318 of this title or any portion thereof.

(Mar. 2, 1899, ch. 374, § 8, 30 Stat. 992.)

#### CROSS REFERENCES

Pueblo Indians of New Mexico, application of section, see section 322 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 312, 314, 316, 317, 322 of this title.

### § 318a. Roads on Indian reservations; appropriation

Appropriations are hereby authorized out of any money in the Treasury not otherwise appropriated for material, equipment, supervision and engineering, and the employment of Indian labor in the survey, improvement, construction, and maintenance of Indian reservation roads not eligible to Government aid under the Federal Highway Act and for which no other appropriation is available, under such rules and regulations as may be prescribed by the Secretary<sup>1</sup> of the Interior.

(May 26, 1928, ch. 756, 45 Stat. 750.)

#### REFERENCES IN TEXT

The Federal Highway Act, referred to in text, is act Nov. 9, 1921, ch. 119, 42 Stat. 212, which enacted sections 1, 2, 3, 3a, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 to 20, 21, 22, 23, 24, and 25 of former Title 23, Highways, and amended sections 5 and 12a of former Title 23 and section 3 of Title 50, War and National Defense. Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 919, repealed the Federal Highway Act, with the exception of the amendment to section 3 of Title 50, as part of the general revision and reenactment of Title 23, Highways.

#### APPROPRIATIONS FOR FISCAL YEARS 1950 AND 1951

Act June 29, 1948, ch. 732, § 4(c), 62 Stat. 1105, authorized the appropriation of \$6,000,000 for fiscal years 1950

<sup>1</sup> See References in Text note below.

<sup>1</sup> So in original. Probably should be "Secretary".